

AUS920010628US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED
CENTRAL FAX CENTER
OCT 06 2004In re Application of:
Maria Azua Himmel, *et al.*

Serial No.: 09/942,786

Filed: August 30, 2001

Title: Shopping Cart Merchandise
Pickup§
§ Group Art Unit: 3625
§
§ Examiner: Gart, Matthew S.
§
§ Atty Docket No.: AUS920010628US1
§
§
§
§Mail Stop: Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO at 703-872-9306 or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date:	
Date	October 6, 2004
	<i>Catherine Berglund</i>
Catherine Berglund	

RESPONSE TO OFFICE ACTION DATED JULY 6, 2004

Dear Sir:

Claims 1-33 are in the case. Applicants acknowledge with thanks the telephone conference with Examiner Gart on September 1, 2004. In accordance with that telephone conference, Applicants present the following remarks demonstrating that the case is in condition for allowance.

AMENDMENT

Please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Biggers & Ohanian, LLP**Patent Attorneys**

504 Lavaca Street, Suite 970

Austin, Texas 78701-2856

(512) 472-9881

cathy@biggerslaw.com

**RECEIVED
CENTRAL FAX CENTER****OCT 06 2004****FACSIMILE TRANSMITTAL SHEET****DATE: .** October 6, 2004**TO:** Examiner: Gart, Matthew S. Group Art Unit: 3625**COMPANY:** United States Patent and Trademark Office**FACSIMILE NO:** 703-872-9306**FROM:** H. Artoush Ohanian, Reg. No. 46,022**RE:** Response to Office Action
dated July 6, 2004;
Title: "Shopping Cart
Merchandise Pickup"
Atty. Docket No.:
AUS9200106281US1
(10004)**SERIAL NO.:** 09/942,786**NUMBER OF PAGES:** (Including Cover) 18**COMMENTS:** Please see attached.**Certificate of Transmission by Facsimile under 37 C.F.R. 1.8**

I hereby certify that this correspondence is being transmitted via facsimile to Commissioner for Patents at 703-872-9306 on the date of signature below.

Catherine Berglund
Catherine BerglundOctober 6, 2004
Date**Confidentiality Notice:** Unless otherwise indicated or obvious from the nature of the transmittal, the information contained in this facsimile message is attorney-client privileged and confidential information intended only for the use of the intended recipient named above. If you are not the intended recipient, then any dissemination, distribution, or copying of this communication is strictly prohibited. If you received this distribution in error, please immediately notify the sender by telephone at our expense.

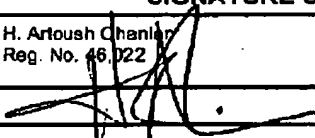
PTO/SB/21 (02-04)

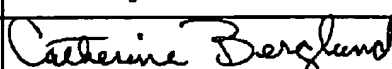
Approved for use through 07/31/2008. OMB 0831-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	08/942,788	
	Filing Date	08/30/2001	
	First Named Inventor	Maria Azua Himmel	
	Art Unit	3825	
	Examiner Name	Matthew S. Gart	
Total Number of Pages in This Submission	17	Attorney Docket Number	AU6920010828U81

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.62 or 1.63	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks The Commissioner is authorized to charge or credit Deposit Account No. 09-0447.		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	H. Artoush Ohanian Reg. No. 46,022	
Signature		
Date	10/06/2004	

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.		
Typed or printed name	Catherine Berglund	
Signature		Date 10/06/2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.